

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

HAMID REZA HEDAYAT ZADEH

Plaintiff/Petitioner

Civil Np: '07 CV 2220 JAH (CAB)

vs.

**AFFIDAVIT FOR
JUDGMENT BY DEFAULT**

MICHAEL CHERTOFF, Secretary of The
Department of Homeland Security;
EDUARDO AGUIRRE JR. Director of The
United States Citizenship and Immigration
Services (CIS); Office of U.S. Citizenship and
Immigration Service for the County of San
Diego

Defendants,/Respondents

STATE OF CALIFORNIA)

COUNTY OF SAN DIEGO)

ss:

HAMID REZA HEDAYAT ZADEH, being duly sworn, deposes and says:

1. I am a private individual Plaintiff and appear before this Honorable Court in the above-entitled action in *pro se*.

2. I make this affidavit pursuant to Rule 55.1 and 55.2(a) of the Civil Rules for the Southern District of California in support of my application for the entry of a default judgment against the defenders.

3. This is an action to compel United States Citizenship and Immigration Service ("USCIS") to conclude Plaintiff's stalled application for naturalization under USC §1447 (B) without further delay.

4. Jurisdiction and venue of this action lie with this Court which is the United States District Court for the Southern District of California and is further appropriate for the following reasons: (A) Plaintiff at all times herein mentioned resided in this district; (B) Defendants

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CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
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engaged, and continued to engage extensively in matter of immigration and homeland security in district; and (C) all events giving rise to Plaintiff's claim arose in this district.

5. This action commenced on November 20, 2007 by the filing of the summons and complaint. Copies of the summons and the complaint were served on the defendants on November 21, 2007, by United States Mail, Certified with return receipt and proof of service was submitted to the Court by regular First Class U.S. Mail by the server of the process Farzad Faridi, an individual who is over the age of 18 years and not a party to this action. The defendants have not answered the complaint and the time for the defendants to answer the complaint has expired.

6. The relief sought in this action is for the final adjudication in Court and by the Court of Plaintiff's Stalled Naturalization Application under USC §1447(b), which application was granted on May 5, 2005.

7. The relief sought in this action *in the alternative* is for an order remanding the same to USCIS with instructions for immediate and final adjudication of Plaintiff's Stalled Naturalization Application under USC §1447(b).

8. WHEREFORE, Plaintiff requests the entry of Default and the entry of the annexed judgment(s) against defendants.

Dated: San Diego, California

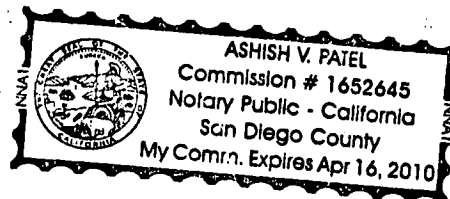
(date) JAN / 22 / 2008

Sworn to before me this 22nd
Day of January, 2008

[Signature]

Notary Public

[Signature]
Pro Se Plaintiff/Petitioner
Hamid Reza Hedayat Zadeh



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

HAMID REZA ADEYATI ZADEH
Plaintiff - Petitioner

Case No. 07 CV 2220 JAH (CAB)

DECLARATION OF SERVICE

Person Served:

CLERK OF THE COURT

Date Served:

JANUARY 22, 2008

vs.

MICHAEL CHURCHOFF, Secretary D.A.S.
EDUARDO AGUIRRE, JR., Director USCIS
OFFICE OF USCIS SAN DIEGO COUNTY
Defendants.

I, the undersigned declare under penalty of perjury that I am over the age of eighteen years and not a party to this action; that I served the above named person the following documents:

in the following manner: (check one)

- 1) By personally delivering copies to the person served.
- ☒ 2) By leaving, during usual office hours, copies in the office of the person served with the person who apparently was in charge and thereafter mailing (by first-class mail, postage prepaid) copies to the person served at the place where the copies were left.
- 3) By leaving copies at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household or a person apparently in charge of his office or place of business, at least 18 years of age, who was informed of the general nature of the papers, and thereafter mailing (by first-class mail, postage prepaid) copies to the person served at the place where the copies were left.
- 4) By placing a copy in a separate envelope, with postage fully prepaid, for each address named below and depositing each in the U.S. Mail at
on _____, 20

Executed on JANUARY 22, 2008 at SAN DIEGO, CALIFORNIA

FARZAD FARIDI

